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JC09 Rec'd PCT/PTO 06 JUN 2002

Express Mail No.: EL 477 036 736 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Srivastava *et al.*

Application No.: 10/070,875

Group Art Unit: To Be Assigned

(U.S. National Stage of PCT/US00/24711 Filed December 8, 2000)

Filed: March 11, 2002

Examiner: To Be Assigned

For: METHODS AND COMPOSITIONS FOR
THE TREATMENT AND PREVENTION
OF GRAFT REJECTION USING HEAT
SHOCK PROTEINS

Attorney Docket No.: 8449-086-999

**ASSERTION OF SMALL ENTITY STATUS PURSUANT TO 37 C.F.R. § 1.27(c)
AND REQUEST FOR REFUND PURSUANT TO 37 C.F.R. § 1.28(a)**Assistant Commissioner for Patents
Washington, D.C. 20231

Attention: Refund Section, Accounting Division

Sir:

The inventors of the above-identified application have an obligation to assign or have assigned their rights, title, and interest in, to, and under the above-identified application to Fordham University. Additionally, Antigenics, Inc. ("Antigenics") is an entity having certain rights in the invention. Fordham University and Antigenics qualify as Small Entities under 37 C.F.R. § 1.27(a)(3) and § 1.27(a)(2), respectively. Therefore, the above-identified application is entitled to Small Entity Status. Attorneys for Applicants respectfully request that Small Entity Status be accorded to the application.

Applicants note that a filing fee of \$3036.00 has been received by the U.S. Patent and Trademark Office in connection with the filing of the above-identified utility patent application (see attached copy of the Transmittal Letter to the United States Designated /Elected Office). Pursuant to 37 C.F.R. § 1.28(a), Applicants request a refund of one half of the filing fees that were paid, *i.e.*, \$1518.00. This request is made within three months of the payment of the filing fees.



Accordingly, please refund the excess by crediting **\$1518.00** to Deposit Account No. 16-1150.

A copy of this sheet is enclosed.

Respectfully submitted,

Adriane M. Antler ^{By: Kline} _{40,258}
32,605

Date: June 6, 2002

Adriane M. Antler

(Reg. No.)

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New York, New York 10036-2711
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Enclosures

FORM PTO-1390 (REV. 11-94)	JUN 06 2002	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 8449-086-999
TRANSMISSION LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)			
INTERNATIONAL APPLICATION NO. PCT/US00/24711	INTERNATIONAL FILING DATE September 8, 2000	PRIORITY DATE CLAIMED September 10, 1999	
TITLE OF INVENTION METHODS AND COMPOSITIONS FOR THE TREATMENT AND PREVENTION OF GRAFT REJECTION USING HEAT SHOCK PROTEINS			
APPLICANT(S) FOR DO/EO/US Pramod K. Srivastava and Rajiv Y. Chandawarkar			
Applicant herewith submits to the United States Designated/ Elected Office (DO/EO/US) the following items under 35 U.S.C. 371:			
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the international Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureaus. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An UNEXECUTED declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 			
Items 11. to 16. below concern document(s) or information included:			
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> a) Copy of Notice Informing the Applicant of the Communication of the International Application to the Designated Office; b) Copy of the Notice of Transmittal of the International Search Report or Declaration; c) Copy of the International Search Report with a copy of the reference cited therein; d) Copy of the Notice of Transmittal of the International Preliminary Examination Report; e) Copy of the International Preliminary Examination Report; and f) Copy of WO 01/17554 A1 (the publication of PCT/US00/24711) 			

17. The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees as follows:

CLAIMS				
(1)FOR	(2)NUMBER FILED	(3)NUMBER EXTRA	(4)RATE	(5)CALCULATIONS
TOTAL CLAIMS	137	20 JUN 06 2002	X \$18.00	\$ 2,106.00
INDEPENDENT CLAIMS	8	5	X \$84.00	420.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$ 280.00
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): CHECK ONE BOX ONLY				
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) \$710.00				
<input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$740.00				
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,040.00				
<input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2) to (4) \$100.00				
<input type="checkbox"/> Filing with EPO or JPO search report \$890.00				
Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than 30 mos. from the earliest claimed priority date (37 CFR 1.492(e)).				
TOTAL OF ABOVE CALCULATIONS				
Reduction by 1/2 for filing by small entity, if applicable. (37 CFR §§ 1.27, 1.28).				
SUBTOTAL				
Processing fee of \$130.00 for furnishing the English Translation later than 20 30 mos. from the earliest claimed priority date (37 CFR 1.492(f)).				
TOTAL FEES ENCLOSED				
\$ 3,036.00				

- a. A check in the amount of \$__ to cover the above fees is enclosed.
- b. Please charge Deposit Account No. 16-1150 in the amount of \$ 3,036.00 to cover the above fees. A copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-1150. A copy of this sheet is enclosed.

18. Other instructions

n/a

19. All correspondence for this application should be mailed to

PENNIE & EDMONDS LLP
1155 Avenue of Americas
New York, N.Y. 10036-2711

20. All telephone inquiries should be made to the undersigned at (212)-790-9090

Adriane M. Antler
NAME

Adriane M. Antler
SIGNATURE

32,605
REGISTRATION NUMBER

March 11, 2002
DATE